

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 1-8, drawn to a non-elected invention, have been cancelled.

In claim 9, line 11, after "combinations thereof", - - , wherein said chiral mobile phase is selected from the group consisting of 2-butanol, 2-butylamine, 3-amino-1,2-propanediol, 1-amino-2-propanol, 2-amino-1-propanol, 1-dimethylamino-2-propanol, 1,2-propanediol, propylene carbonate, 1,2-diaminopropane dihydrochloride, 1-methyl-2-pyrrolidone, methyl-2-pyrrolidone-5-carboxylate, 1,2-dichloropropane, 2-bromopropionic acid, 2-bromopropionitrile, 2-chloropropionic acid, 2-chloropropionitrile, epichlorohydrin, 3-chloro-2-methylpropionitrile, 1-bromo-3-chloro-2-methylpropane, propylene oxide, 1,2-propanediol diacetate, 1-methoxy-2-propanol, 1-methoxy-2-propanol acetate, 1,2-diamino propane, 3-aminopyrrolidine, 4-chloro-3-hydroxy butyronitrile, 1-chloro-2-propanol, 2-chloro-1-propanol, methyl-2,3-dichloropropionate, 2-butanol, 1,2,4-butanetriol, 1,3-butanediol, 2,3-butanediol,  $\beta$ -hydrox- $\gamma$ -butyrolactone, 3-chloro-2-butanone, 4-chloromethyl-2,2-dimethyl-1,3-dioxolane, 1-chloro-2-methylbutane, methyl-2-chloropropionate, and 3-hydroxy pyrrolidine - - has been inserted.

Claim 12 has been cancelled.

Authorization for this examiner's amendment was given in a telephone interview with Anthony J. Janiuk on July 31, 2009.

In the specification, page 1, line 5, after "application", -- is a 371 of PCT/US2005/011526, filed April 6, 2005, which, in turn,

The following is an examiner's statement of reasons for allowance: Duff (U.S. Patent No. 5,338,454), Mazzeo (U.S. Patent No. 6,090,250), and Peyrin (U.S. Patent Publication No. 2007/0056908) are considered to be the closest art because they disclose similar processes. The case has been allowed because the recited combination of steps would not have been obvious from Duff (U.S. Patent No. 5,338,454), Mazzeo (U.S. Patent No. 6,090,250), and Peyrin (U.S. Patent Publication No. 2007/0056908).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to E. Therkorn at telephone number (571) 272-1149. The official fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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EGT  
July 31, 2009